



en 372/B

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
00-065

In Re Application Of: **PACKES et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/930,717	August 15, 2001	John Roger Paradiso	22927	3721	2438

Title: **SYSTEM AND METHOD FOR AUTOMATED PLAY OF LOTTERY GAMES**

COMMISSIONER FOR PATENTS:

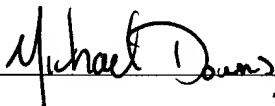
Transmitted herewith is:

Response to Notice to File Corrected Application Papers (3 pp.);  
Copy of Notice to File Corrected Application Papers (1 pg.);  
Copy of Decision According Status Under 37 C.F.R. 1.47(a) (2 pp.); and  
Return Receipt Postcard.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0271** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Michael D. Downs  
Attorney for Applicants  
PTO Registration No. 50,252  
(203) 461-7292/phone  
(203) 461-7300/fax  
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CUSTOMER NO. 22927

Dated: July 15, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

July 15, 2005

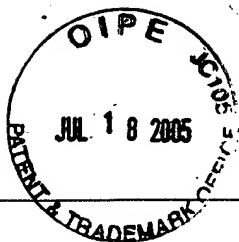
(Date)

  
Signature of Person Mailing Correspondence

Michael D. Brinton

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Serial Number  
09930717

Date Mailed  
6/21/05

**NOTICE TO FILE CORRECTED APPLICATION PAPERS**

*Notice of Allowance Mailed*

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- This communication is in regards to the oath. The signatures are missing on the oath for: John Packes Jr., Michael Steih and Andrew Golden.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

***A copy of this notice MUST be returned with the reply. Please address response to "Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313"***

Ollie Person

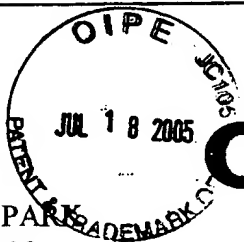
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JUL 07 2005

**OFFICE OF PETITIONS**

In re Application of  
Packes, et al.  
Application No. 09/930,717  
Filed: August 15, 2001  
Attorney Docket No. 00-065  
For: SYSTEM AND METHOD FOR  
AUTOMATED PLAY OF LOTTERY GAMES

:  
:  
: DECISION ACCORDING STATUS  
: UNDER 37 CFR 1.47(a)  
:  
:

This decision is in response to the petition under 37 CFR 1.47(a), filed January 11, 2002.

The petition is granted.

Petitioners have shown that the non-signing inventors, John Packes, Jr., Michael Steib, and Andrew Golden, have constructively refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declarations/statement of facts of several Walker Digital employees establish that the non-signing inventors would not cooperate. Senior Patent Paralegal Veronkia Leliever states that she successfully mailed the inventors the application papers, including the specification, claims and drawings and that during a November 16, 2001 telephone conversation with Inventor Steib that he shared his belief that the assignment agreement to Walker Digital was not valid. Paralegal Michael Brinton left messages at the last known telephone numbers for the non-signing inventors, but none, including Mr. Golden, returned calls. James Jorasch, Vice President of Research and Development states that Mr. Packes on multiple occasions agreed to stop by his former employer's office to sign papers, but failed to do so over more than a 3 month period. Petitioners have submitted a declaration in compliance with 37 CFR 1.63 and 1.64, the petition fee, and a statement of the last known addresses for the non-signing inventors.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will

Application No. 09/930,717

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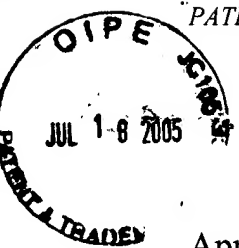
also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Publications Division.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

A handwritten signature in cursive script, reading "E. Shirene Willis".

E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions



PATENT

Application Serial No.: 09/930,717  
Attorney Docket No.: 00-065

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: PACKES et al.  
Application No.: 09/930,717  
Filed: August 15, 2001  
Title: SYSTEM AND METHOD FOR AUTOMATED PLAY OF  
LOTTERY GAMES

Attorney Docket No. 00-065

Group Art Unit: 3721  
Examiner: John Roger Paradiso

**RESPONSE**

**to NOTICE TO FILE CORRECTED APPLICATION PAPERS**

**mailed June 21, 2005**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to the Notice to File Corrected Application Papers mailed June 21, 2005 (hereinafter referred to as the "Notice"), please consider the following remarks.